



Republican Policy Committee

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Gridlock Strategy Threatens Repeat of Government Shutdown

Clinton's Fall Campaign Ploy: 'Shut 'Em Down!'

"We are simply going to shut this place down . . ."

Minority Leader Daschle, press conference, May 7, 1996

Over the Christmas and New Year's holidays this past winter, President Clinton and his Congressional accomplices learned one very important lesson: they can't govern, but they sure can shut down the government — and then blame it on the Republicans!

As the election year progresses toward the parties' national conventions, and then, after that, as the fall campaign kicks into high gear, every sign points to the Democrats' willingness to stick with what worked before. Specifically, over the next few months continued Federal Government operations will be subject to the enactment of 13 appropriations bills — each of which is vulnerable to a Democrat filibuster and a Clinton veto. In a restaging of the winter crisis, there is no reason to think that the President and his party will not be willing once again to sacrifice the interests of retirees, veterans, Social Security recipients, and federal workers on the altar of political expediency. The evidence: their unprecedented record of obstruction to date.

Guardians of Gridlock, That Was Then — This Is Now!

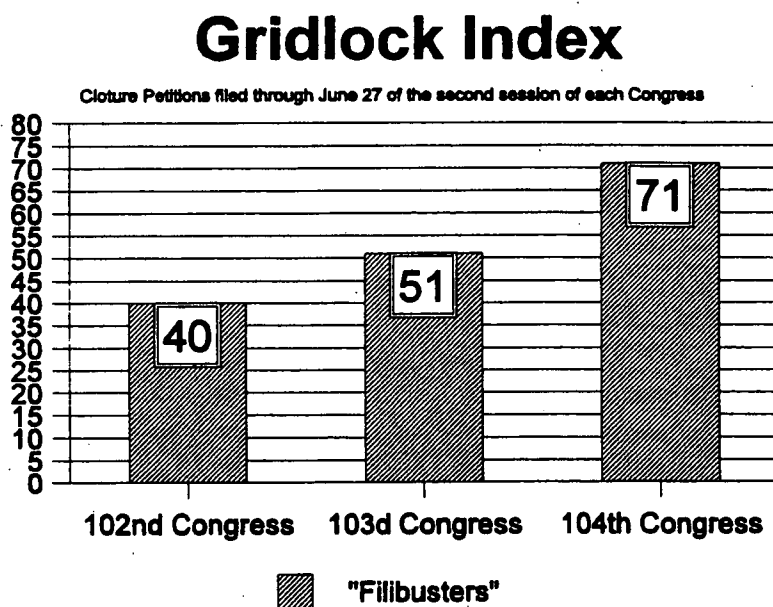
Two years ago, near the end of the 103d Congress (a Congress, which like the White House, was in the hands of the Democrats) House and Senate Democrats flooded the nation's airwaves and editorial pages with dire warnings against the "guardians of gridlock." President Clinton railed against Republican "obstruction" in Congress. Even the President's top lawyer, Lloyd Cutler, joined the ranks in the holy war against gridlock, declaring the use of the Senate filibuster "unconstitutional." The Democratic machine envisioned local chapters, coast-to-coast, of a political action committee called "Action, Not Gridlock," a supposedly "bipartisan" and "grassroots" movement dedicated to curbing the alarming increase in Senate (read: Republican) filibusters.

What a difference two years makes. Today, oddly enough, the airwaves and editorial pages are void of any mention of the dreaded guardians of gridlock. Sadly, there are no more

scholarly articles by Lloyd Cutler about the unconstitutional filibuster. In fact, Senate filibusters seem to have become not only "constitutional" these days, but quite fashionable among liberal scholars and pundits.

The Democrats' about-face on the dangers of gridlock and filibusters is nothing short of incredible since, when it ends, the 104th Congress likely will have witnessed *a 100-percent increase* in the number of filibusters compared to the 102d Congress, when Democrats controlled both House and Senate. The number of cloture petitions filed during the entire 102d Congress totaled 40; thus far the 104th Congress, which is not scheduled to adjourn until October, has compiled an all-time record of 71 cloture petitions. **The Democrats' logic is simple:** the "unconstitutional" gridlock crisis has gotten twice as bad since their party adopted the filibuster as their official policy; therefore, there is no longer any crisis at all. (See appendices for complete list of Democratic filibusters and Clinton vetoes.)

71 "Filibusters" and 15 Vetoes: Democrats' About-Face



A total of 71 cloture petitions have been filed thus far in the 104th Congress. An additional 4 petitions were filed by the minority to close debate on different amendments and items, and have not been counted.

America's Agenda Thwarted

The Clinton campaign of obstruction is more than just a tally of bills vetoed and filibustered. More importantly, it is the record of how the Democrats have held up Republican efforts to balance the budget, hold down the growth of entitlement spending, provide tax relief to America's families, extend regulatory relief to American business, and restore Americans' sense that their government is friendly to their values. The following are some of the initiatives that

would have been enacted except for Democrat impediments [For more details on many of these items, see RPC paper entitled "Congress' Common-Sense Agenda Obstructed: Clinton's 'Dog-in-the-Manger' Strategy," 1/30/96]:

- **Balanced Budget Amendment (H.J.Res. 1) — FILIBUSTERED.**

Clinton says he's for a balanced budget. He had a balanced budget provision in his state constitution as Arkansas governor. But his friends on Capitol Hill — despite the fact that an amendment to the Constitution requires a two-thirds vote of the Senate — voted against the three-fifths requirement (i.e., cloture) to end debate and bring the amendment to a final vote. Three cloture petitions were filed against the balanced budget constitutional amendment. After cloture was invoked, the Democrats voted the amendment down on two separate occasions.

- **Balanced Budget Act (H.R. 2491) — VETOED.**

A balanced budget by the year 2002, a middle-class tax cut, Medicare solvency into the next generation, welfare reform, plus the most significant reform in farm legislation in the last 60 years — all fell victim to Bill Clinton's veto pen.

- **Work Opportunity Act (H.R. 4) — VETOED.**

In 1992, Candidate Clinton vowed to "end welfare as we know it." Republicans responded with a major overhaul of the welfare system to end the cycle of dependency. President Clinton responded by vetoing it twice: once as part of the balanced budget act he vetoed and once as a free-standing welfare reform bill. By vetoing it, Clinton ensured that "welfare as we know it" will continue.

- **Partial-Birth Abortion Ban (H.R. 1833) — VETOED.**

By solid majorities in both houses, Republicans and Democrats, liberals and conservatives, pro-lifers and pro-choicers voted to ban a particularly gruesome abortion procedure used only very late in pregnancy when the child is already mostly delivered from the mother's body. The bill provided an explicit "life of the mother" exception to the ban, but even this was too much for the candidate who promised to make abortion "safe, legal, and *rare*."

- **Health Insurance Reform (H.R. 3103) — FILIBUSTERED.**

This bill has passed both the House and the Senate. It would make health insurance portable and more accessible. But because the House version of the bill contains medical savings accounts — allowing Americans to use their health benefits for their own choice of doctors and plans — Senate Democrats have refused even to allow the bill to go to a House-Senate conference.

- **Product Liability Fairness (H.R. 956) — VETOED.**

The cost of liability insurance to pay for extravagant lawsuits adds to the cost of every product or service Americans purchase. However, for President Clinton, the pocketbook of the American consumer is of no concern compared to the guild interests of — the trial lawyers.

- **Defend America Act (S. 1635) — FILIBUSTERED.**

The first responsibility of government is to defend the lives of its citizens. At this time, the American people have absolutely no protection against nuclear missile attack, either from a rogue regime or the accidental launch of a single missile. Senate Democrats refuse to permit consideration of a bill that would speed up development and installation of a missile defense system. The result: America is still vulnerable.

- **Congressional Term Limits (S.J.Res. 21) — FILIBUSTERED.**

By overwhelming margins, Americans have voiced their opinion that they do not want their laws made by professional politicians who make a career of sitting in the national legislature. Instead, they want citizen legislators who, after their time in office, return to roles in the private sector (also known as “the real world”). Bill Clinton and the Democrats disagree.

- **Foreign Relations Revitalization Act (H.R. 1561) — VETOED.**
- **Foreign Aid Reduction Act (S. 961) — FILIBUSTERED.**

Between presidential vetoes and congressional delay, the Democrats killed two landmark measures that would have overhauled the State Department and reformed American foreign aid, eliminating wasteful spending and saving taxpayers *billions* of dollars.

- **FY96 Appropriations bills:**

- ▶ **Commerce, State, Justice (H.R. 2076) — VETOED.**
- ▶ **Labor, HHS, Education (H.R. 2127) — FILIBUSTERED.**
- ▶ **Veterans Administration, HUD (H.R. 2099) — VETOED.**
- ▶ **Interior (H.R. 1977) — VETOED.**
- ▶ **District of Columbia (H.R. 2546) — FILIBUSTERED.**

A key element to the earlier budget impasse that is often overlooked is that funding bills that would have kept large parts of the federal government open were in fact sent to President Clinton’s desk — but he vetoed them. Other agencies were left unfunded due to filibuster efforts by Congressional Democrats against appropriations bills and conference reports. *Look for Democrats to use this ploy again* against Fiscal Year 1997 appropriations bills as we approach October 1 (the beginning of the new fiscal year) — and November 5 (Election Day)!

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Appendix I

Democrat-led filibusters in the 104th Congress

<u>Legislation</u>	<u>Cloture Motions Filed</u>
1) Unfunded Mandates, S. 1	4 cloture motions
2) Balanced Budget Amendment, H.J. Res. 1	3 cloture motions
3) Striker Replacement, Kassebaum amendment	2 cloture motions
4) Line-Item Veto, S. 4	2 cloture motions
5) Health Insurance Tax Deduction, H.R. 831	1 cloture motion
6) Supplemental/Rescissions, H.R. 1158	2 cloture motions
7) Product Liability, H.R. 956	5 cloture motions
8) Interstate Waste, S. 534	1 cloture motion
9) Alaska Power Administration, S. 395	1 cloture motion
10) Anti-Terrorism, S. 735	1 cloture motion
11) Anti-Pornography, Lott amendment	2 cloture motions
12) National Highway System, S. 440	1 cloture motion
13) Regulatory Reform, S. 343	3 cloture motions
14) Foreign Relations Revitalization, S. 908	3 cloture motions
15) Foreign Assistance Authorization, S. 961	1 cloture motion
16) National Defense Authorization, S. 1026	2 cloture motions
17) Welfare Reform Bill, H.R. 4	1 cloture motion
18) Cuban Liberty & Democratic Solidarity, H.R. 927	3 cloture motions
19) Flag Desecration (motion to proceed), S.J. Res. 31	1 cloture motion
20) Labor/HHS Appropriations, H.R. 2127	1 cloture motion
21) Farm Bill, S. 1541	1 cloture motion
22) Farm Bill (Leahy substitute amdt. 3184)	1 cloture motion
23) DC Appropriations, H.R. 2464	4 cloture motions
24) Whitewater Extension, S.Res. 227	8 cloture motions
25) Legal Reform/Product Liability, H.R. 956	2 cloture motions
26) Presidio Properties, H.R. 1296	1 cloture motion
27) Term Limits Constitutional Amendment, S.J. Res. 21	1 cloture motion
28) Immigration and Nationality Act, S. 1664	3 cloture motions
29) White House Travel Office, H.R. 2937	4 cloture motions
30) Defend America Act, S. 1635	1 cloture motion
31) Campaign Finance Reform, S. 1219	1 cloture motion
32) Department of Defense Authorization, S. 1745	3 cloture motions

Total: 71 cloture motions

Appendix II

President Clinton's Vetoes

- 1) Second Supplemental Appropriations and Rescissions Act of 1995, H.R. 1158
- 2) Bosnia and Herzegovina Self-Defense Act, S. 21
- 3) Legislative Branch Appropriations 1996, H.R. 1854
- 4) Debt Ceiling Limit, H.R. 2586
- 5) Continuing Appropriations FY96, H.J. Res. 115
- 6) Seven Year Balanced Budget, H.R. 2491
- 7) Department of Interior Appropriations 1996, H.R. 1977
- 8) VA/HUD Appropriations 1996, H.R. 2099
- 9) Commerce, Justice, State Appropriations 1996, H.R. 2076
- 10) Securities Litigation Reform, H.R. 1058
- 11) Defense Authorization, H.R. 1530
- 12) Welfare Reform, H.R. 4
- 13) Ban on Partial-birth Abortions, H.R. 1833
- 14) State Department Reauthorization, H.R. 1561
- 15) Product Liability Reform, H.R. 956

Total: 15 Vetoes